

**SB 397 Concerns:**

**Commission Authority**

- Mandates specific season structures and dates best left to the FWP Commission and the very public Commission process;
- Limits commission authority to adaptively manage black bear, mountain lion, and wolf in hunting districts with mandatory, provisional seasons;
- Ignores adequate authority and sufficient tools already in place to manage populations of black bears, mountain lions, and wolves with realized harvest totals for all three species recently increased;
- Assumes predation by every carnivore is the sole reason for an elk population being under objective;

**Confusing Regulations/Enforcement Issues**

- Would result in extremely confusing regulations that create enforcement issues and unintentionally set up hunters for violations (different regulations in adjoining units);
- Creates different seasons for the same species in the same region.
- Would be impossible to distinguish between the bill's allowed use of trail cameras to hunt carnivores versus their illegal use for hunting big game in the same hunting districts;

**Threatens Wolf and Grizzly Bear Delisting/Human Safety**

- Threatens Montana's ability to delist grizzly bears and keep wolves from becoming relisted;
- Would mandate pursuit with hounds, thereby allowing the inadvertent pursuit of grizzly bears with negative consequences to grizzly bear delisting and human safety;
- Mandates wolf trapping from September 1 – June 30.
  - Trappers will accidentally capture grizzly bears that are typically out of dens up to mid-December and after mid-March;
  - Mandatory wolf season jeopardizes Montana's extensive efforts to get grizzly bears delisted due to potential captures of grizzly bears;
  - trapped grizzly bears represent a considerable threat to human safety including those members of the public that unknowingly happen upon a trapped grizzly bear;
- Mandates a lengthy season for wolves even if the population is reduced toward 200 wolves, thereby raising the question of adequate regulatory mechanisms for wolves;
- Represents a significant change to Montana's wolf management plan, which is a trigger for federal status review under the delisting rule;

**Mountain Lion**

- Would allow unlimited number of nonresidents to participate in some currently limited mountain lion seasons;
- May result in overharvest of lions in provisional hunting districts;

**Trapping**

- Legalizes the use of body-gripping traps for wolves unlikely to capture wolves but effective at killing pets and other small animals, unnecessarily creating a safety hazard, and further jeopardizing Montana's trapping seasons, already under increasing scrutiny.
- 72-hour trap check for wolf trapping in provisional districts vs. 48 in remainder of state
- Potential for all trapping to be jeopardized due to potential incidental take of lynx and wolverine.

In summary, SB 397 jeopardizes the delisting of wolves and the potential delisting of grizzly bears, creates extremely complex and confusing regulations, represents human safety concerns, jeopardizes all trapping, and is unnecessary.

Senate Bill 397  
April 9, 2013  
Presented by Ken McDonald  
House Fish, Wildlife and Parks Committee

Mr. Chairman and committee members, I am Ken McDonald, Wildlife Division Administrator for Montana Department of Fish, Wildlife & Parks (FWP). I am here today on behalf of the Director in opposition to Senate Bill 397.

FWP opposes this bill for many reasons. It mandates specific season structure and dates in statute – these are best left to the FWP Commission and the Commission process. It has potential to create extremely confusing regulations that create enforcement issues and set up hunters for violation. And it threatens our ability to delist grizzly bears and keep wolves from becoming relisted.

SB 397 would mandate more liberal black bear, mountain lion, and wolf provisional seasons in elk hunting districts under restrictive harvest regulations per the Montana Elk Plan. Currently, 31 of 162 elk hunting districts are managed under a restrictive harvest regulation package, and these are spread out among 4 different FWP regions.

FWP's first concern is that the bill removes commission authority to manage black bear, mountain lion, and wolf harvests in hunting districts with mandatory, provisional seasons, and assumes predation is the sole reason for an elk population to be under objective. In some cases, this would lead to over-harvest of black bears and mountain lions, even when their effect on elk populations is not the significant issue. The commission already has adequate authority and sufficient tools to manage populations of black bears, mountain lions, and wolves. Season frameworks for all three species have been liberalized in recent years, leading to significantly increased harvests.

This bill would also result in extremely complicated regulations where some hunting districts within a region would have unique regulations that would likely confuse hunters and create enforcement concerns. For example, in Region 2, provisional seasons would occur in 8 hunting districts, while the other 20 would have standard frameworks. The two sets of seasons would have different opening and closing dates. Provisional licenses would be valid only in the 8 districts, where hound hunting of bears and different wolf seasons is required, unlike the remaining 20 districts. Within 20 districts, lions would be hunted under the current framework, including special lion licenses and a 10% nonresident cap, while in the remaining 8 districts, provisional licenses would be unlimited, but hound hunting permits would also be required and limited on a statewide basis. Trail cameras would become legal for hunting only for wolves, bears, and lions, only in 8 of 20 districts. It would be unfeasible to distinguish between the use of trail cameras to hunt carnivores versus their use for hunting big game in the same hunting districts. Road kills could be salvaged to bait wolf traps, but only during provisional seasons. Furthermore, these circumstances could change very quickly, as hunting districts variously fell below or increased to objectives.

In the 31 hunting districts statewide with restrictive elk regulations, this bill would mandate pursuit with hounds during both spring and fall black bear provisional seasons. The Montana legislature already considered black bear hound hunting in HB 144, which was tabled by the

House Fish, Wildlife, and Parks Committee. Testimony on that bill revealed lack of public support and multiple issues including the hazards of inadvertently pursuing grizzly bears with consequences to grizzly bear delisting. Grizzly bears are common in 26 of the 31 hunting districts that currently have restrictive elk regulations. The bill also mandates wolf trapping during September 1 – June 30. Trappers will accidentally capture grizzly bears that are typically out of dens up to mid-December and after mid-March. Despite the amendments, these regulations stand to jeopardize Montana's extensive efforts to get grizzly bears delisted (hopefully by 2015 in both the Yellowstone and NCDE).

Currently, Montana hunters kill around 1,500 black bears each year. This represents an increased harvest in recent years as seasons have been liberalized in response to concerns over ungulate predation, changing weather variables, and public interest in additional opportunity. Montana has no difficulty in reaching its black bear harvest objectives.

The bill would create a hound hunting license that would be required for provisional seasons and would cap non-resident participation at 50 permits. However, because the limitation only applies to nonresident hound hunters in provisional seasons, and because the bill eliminates limitations on the numbers of permits or licenses issued, the bill could, in effect, greatly increase the number of nonresidents participating in some currently limited mountain lion seasons. Also, outfitted nonresident hunters would not be limited.

The bill mandates a lengthy season for wolves even if the population is reduced toward 200 wolves. At 250 wolves statewide, it is questionable if Montana could verify 15 breeding pairs, which is a delisting criterion and a Montana management plan standard. This bill raises the question of adequate regulatory mechanisms for wolves and creates the possibility of a federal status review. It also potentially represents a significant change to Montana's wolf management plan, which is also a trigger for a federal status review.

The bill legalizes the use of body-gripping traps for wolves. Body-gripping trap sets would be unlikely to capture wolves, but would be effective at killing pets and other animals, unnecessarily creating a safety hazard, and further jeopardizing Montana's trapping seasons, which are coming under increasing scrutiny.

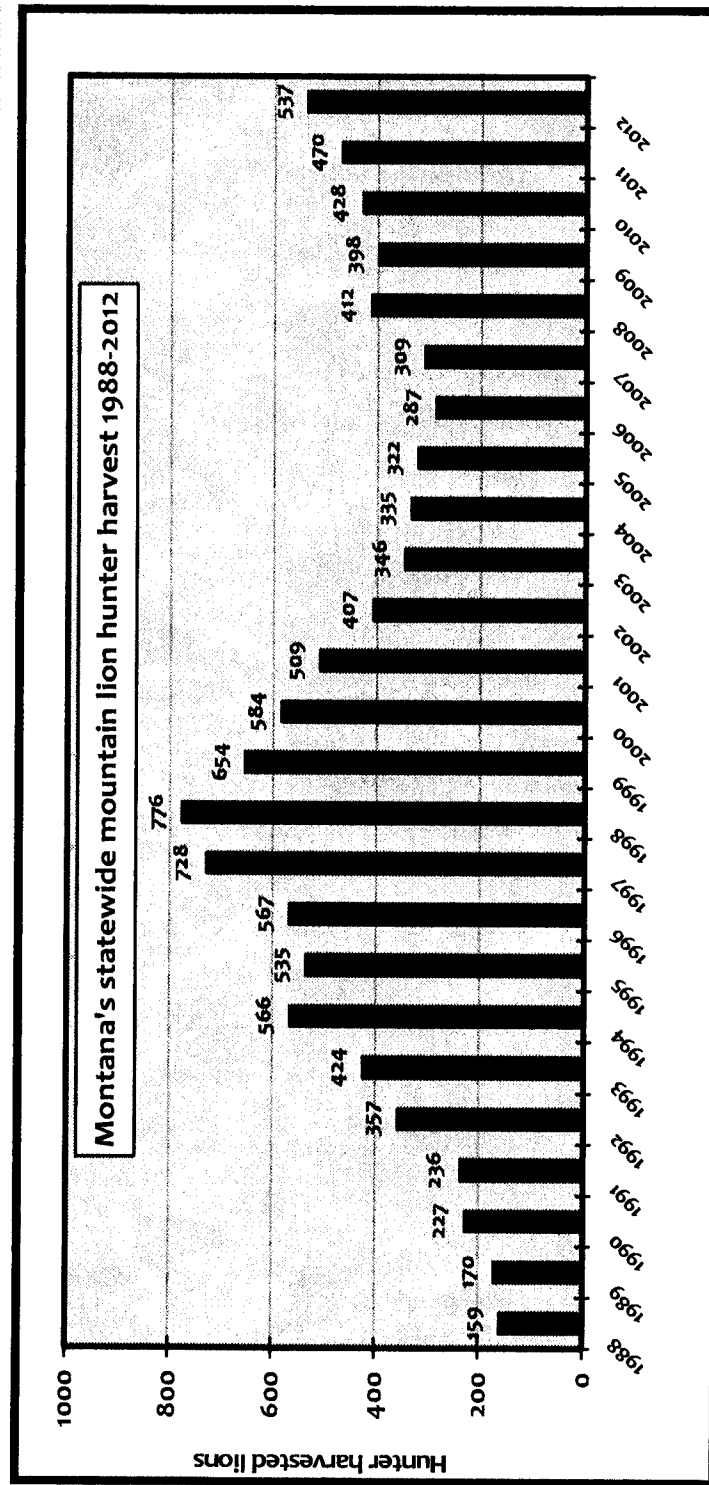
In some instances, the bill could actually lead to more conservative seasons than might otherwise be adopted by the FWP Commission. For example the FWP Commission would not be able to extend seasons beyond the dates specified in the bill. Also, the bill prohibits the use of game animals for wolf trap bait, which is currently legal.

The bill allows nonresidents to purchase a reduced-cost license to hunt during a provisional season. However, if they wanted to hunt elsewhere in the state, and they hadn't already purchased a full price license, they would have to purchase a regular season license – so they would have to have two different licenses for the same animals and seasons, which ultimately would cost them more.

In closing, this bill jeopardizes the delisting of wolves and the potential delisting of grizzly bears; it creates extremely complex and confusing regulations, and is unnecessary. FWP respectfully requests a Do Not Pass on Senate Bill 397.

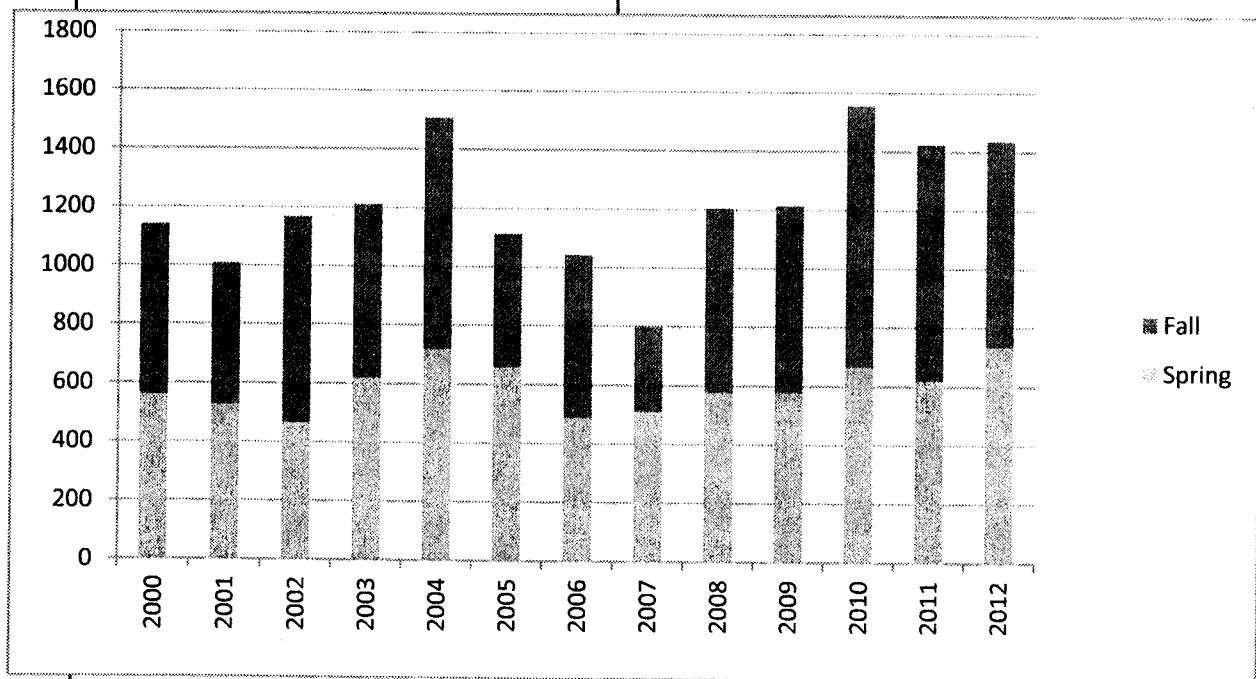
# MOUNTAIN LION

Year	Quotas		Permits		Licenses sold			% non residents	Harvest		
	total	nonresidents	residents	total	total	nonresidents	total		unknown	male	female
2002	581		6337	281	6618			4.2		219	188
2003	538		6130	282	6412			4.4		204	142
2004	483	5	6635	312	6947			4.6		209	126
2005	454		6688	311	6999			4.5		199	123
2006	342	116	3331	145	3476			4.2		212	75
2007	328	130	3922	168	4090			4.1		226	83
2008	280	203	3329	167	3696			4.5		274	138
2009	280	256	3832	179	4011			4.5		272	126
2010	290	331	3466	196	3662			5.4		283	145
2011	275	354	3788	172	3960			4.3		300	170
2012	341	361	4964	182	5146			3.5		Season in progress	



# Black Bear Harvest

year	Harvest				Season					
	unk	male	female	total	unk	Spring	Fall	total		
1985		3	584	370	957		3	498	456	957
1986			628	422	1050		18	562	470	1050
1987		2	614	368	984			488	496	984
1988			570	350	920			562	358	920
1989		7	649	408	1064		2	442	620	1064
1990		3	669	441	1113		1	548	564	1113
1991		2	563	318	883			427	456	883
1992		1	780	434	1215			504	711	1215
1993		2	670	341	1013		1	485	527	1013
1994		2	711	320	1033			512	521	1033
1995		2	715	425	1142			441	701	1142
1996		1	637	362	1000			497	503	1000
1997		5	772	387	1164			386	778	1164
1998		2	854	365	1221			561	660	1221
1999		3	772	379	1154			574	580	1154
2000		2	757	381	1140			560	580	1140
2001		6	641	362	1009			526	483	1009
2002		1	791	376	1168			468	700	1168
2003		2	807	402	1211			620	591	1211
2004		12	952	544	1508			722	786	1508
2005		3	713	398	1114			659	455	1114
2006			727	316	1043			489	554	1043
2007			535	261	796			511	285	796
2008			793	411	1204			576	628	1204
2009		4	804	407	1215		1	578	636	1215
2010		5	997	555	1557		1	667	889	1557
2011		4	919	503	1426		2	620	804	1426
2012		6	937	497	1440		4	736	700	1440



# 2012 Montana Wolf Hunting Season Report



**Montana Fish,  
Wildlife & Parks**

## About the Wolf Season

- ❖ Season closed Feb. 28; 225 wolves harvested.
- ❖ Hunters took 128 wolves and trappers took 97.
- ❖ Season modifications
  - Nov. 8, a new regulation to minimize non-target captures required a minimum 8 lb. trap pan tension in Regions 1 & 2.
  - Feb. 13, House Bill 73 becomes law and hunters permitted to purchase up to 3 wolf licenses.

## ❖ Wolf Management Unit harvests:

WMU	Hunter	Trapper	Total
100	9	11	20
101	8	18	26
110 (quota 2)	1		1
121	10	7	17
130	11	5	16
150	3		3
200	10	11	21
210	3	4	7
250	8	8	16
280	4		4
290	5	12	17
310	19	3	22
316 (quota 3)	2		2
320	3		3
330	5		5
390	22	4	26
400	5	14	19
Total	128	97	225

## Wolf Hunting

- ❖ 123 resident and 3 nonresident hunters harvested wolves.
  - 64 of 84 wolves (76%) taken during Archery/General season were taken opportunistically.
- ❖ 45 percent of hunters used calls.
- ❖ Avg. Distance Shot: 110 yards.
- ❖ Number bagged:
  - 124 hunters took 1 wolf.
  - 2 hunters took 2 wolves.
  - No hunters took 3 wolves.
- ❖ One hunter harvested a wolf with archery equipment.
- ❖ 18,889 wolf licenses were issued (18,642 resident; 247 nonresident).

- ❖ 74 residents and 12 nonresidents purchased additional wolf hunting licenses after the Feb. 13 law change.
- ❖ Approximately 15% of resident deer and elk hunters purchased a wolf license.
- ❖ License cost: \$19 Resident; \$350/(\$50 after February 13) Non-Resident

## Wolf Trapping

- ❖ 2,414 trappers completed the Wolf Trapper Education course and were certified to trap wolves in Montana; approximately 1,500 purchased a trapping license.
- ❖ 62 trappers took one wolf.
- ❖ 13 trappers took 2 wolves.
- ❖ 3 trappers took 3 wolves.

## Harvested Wolves

- ❖ 48% on federal land; 3% on state land; 37% on private land.
- ❖ Wolves were harvested from approximately 60 different packs.

### Age & Sex

- ❖ Adult 123; 55 percent
- ❖ Juvenile 44; 20 percent
- ❖ Yearling 30; 13 percent
- ❖ Unknown 28; 12 percent
- ❖ 117 Females
- ❖ 108 Males

### Avg. Weight

- ❖ Adult avg. 84 lbs.; max 120 lbs.
- ❖ Juvenile avg. 72 lbs.; max 100 lbs.

### Color

- ❖ Black 53
- ❖ Gray 141
- ❖ Unknown 28
- ❖ White 3

### Reported Health

- ❖ 21 with one or combination of mange, worn or broken teeth, fleas, worms, gashes, injuries to paws or legs, and one with a bobbed tail.

# 2012 Montana Wolf Hunting Season Report



## 2012 Gray Wolf Hunting Season Harvest Locations

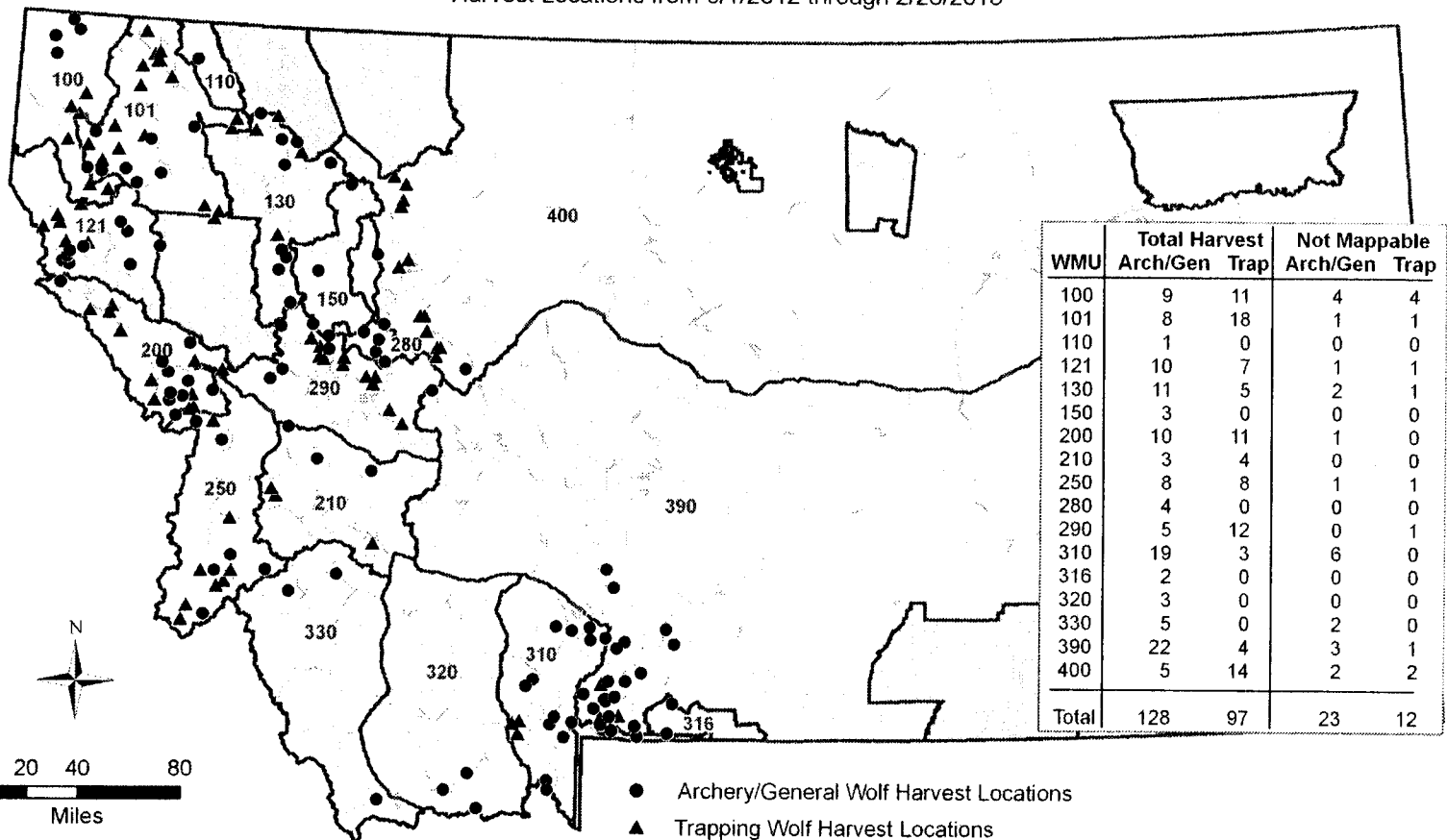
Of the statewide harvest, 84 percent came from:

The other counties include:

County	Hunter	Trapper	Total
Lincoln	14	24	38
Park	20	4	24
Missoula	11	11	22
Sanders	11	7	18
Flathead	11	6	17
Gallatin	17		17
L & C	8	8	16
Ravalli	6	8	14
Powell	5	7	12
Mineral	6	6	12

County	Hunter	Trapper	Total
Lake	3	4	7
Beaverhead	7		7
Teton	1	5	6
Madison	3	3	6
Granite	2	2	4
Jefferson	1		1
Silver Bow		1	1
Carbon	1		1
Pondera		1	1
Deer Lodge	1		1

Harvest Locations from 9/1/2012 through 2/28/2013



### NOTE:

- Some points have been moved up to 5 miles from actual harvest location for display purposes
- Reflects harvests reported and checked as of 3/1/2013

- Archery/General Wolf Harvest Locations
- ▲ Trapping Wolf Harvest Locations
- Gray Wolf Management Units (WMU)
- 2012 Deer/Elk Hunting Districts



Please see [fwp.mt.gov](http://fwp.mt.gov) for more information  
<http://fwp.mt.gov/hunting/planahunt/huntingGuides/wolf/>